IN RE: PETITION FOR ZONING VARIANCE N/S Grovehill Road, 235' W of ZONING COMMISSIONER the c/l of Chelwynd Road (928 Grovehill Road) OF BALTIMORE COUNTY 13th Election District lst Councilmanic District Case No. 88-340-A Anthony J. Scardapane, Sr. Petitioner MEMORANDUM AND ORDER The Petitioner herein requests variances to permit an accessory structure (carport) to comprise 64% of e yard area in lieu of the maximum permitted 40%; a rear yard setback of 11 feet to the centerline of an alley in lieu of the required 15 feet; and side yard setbacks of 0 feet in lieu of the required 2.5 feet, all as more particularly described on Petitioner's Exhibit 3. The Petitioner appeared and testified. No Protestants appeared at the Based upon the testimony and evidence presented at the hearing, it is the opinion of the Zoning Commissioner that the relief requested with respect to the ll' rear yard setback sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that this particular variance would adversely affect the health, safety, and/or general welfare of the public. However, in the opinion of the Zoning Commissioner, it does not appear that strict compliance with the B.C.Z.R., with respect to the accessory structure comprising 64% of the yard area and the 0-foot side yard setbacks, would result in practical difficulty and/or unreasonable hardship upon the Petitioner and therefore, these variances should be denied. Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, in the opinion of the Zoning Commissioner, the Petition for Zoning Variance should be granted, in part. Auran, page augmentage, and congress and con-"DUPLICATE" CERTIFICATE OF PUBLICATION NOTICE OF HEARING NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesape ake Avenue in Towson, Maryland as follows:
Case number: 88-340-A
Petition for Zoning Variance
N/S Grovehill Road, 235' W of Chelwyn Road (928 Grovehill Road)
13th Election District

1st Councilmanic District
Petitioner: Anthony J. Scardapane, Sr. DATE/TIME: Tuesday,
March 8, 1988 at 9:00 a.m.

*FOR SNOW DATE CALL 494-3391'
Variance to permit accessory THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Feb. 11, 19.88 Variance to permit accessory structure comprising 64 percent of yard area in lieu of the required 40 percent. Also, permit a rear yard setbach of 11 feet in lieu of the requir 5 feet to centerline of alley: and permit side setbacks of 0 feet in lieu of the required 2.5 feet. THE JEFFERSONIAN, Susan Minder Obrealt
Publisher Ireu of the required 2.5 reet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal of the period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and serviced in this office by the date of the hearing set always or presented at the hear-*35.75 set above or presented at the hear ing.

j. ROSERT HAINES CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY District 13 th Date of Posting 2-11-ff Petitioner: Anthony I Consdapane Si

Location of property: MS of Girs chiel Road, 235' W. f. the

Cill of Chalunger Road (928 Franchill Road)

Location of Signs: On front of 228 Franchill Road

BEFORE THE

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this	DERED by the Zoning Commissioner for Baltimore County 1988 that variances to permit an accessory structure the yard area in lieu of the maximum permitted 40%, 0 feet 'ir's of the required 2.5 feet, be and are ERED that a variance to permit a rear yard setback of of the alley in lieu of the required 15 feet, be and however, to the following restrictions: ner may apply for his building permit and be n receipt of this Order; however, Petitioner aware that proceeding at this time is at his uch time as the applicable appellate process has expired. If, for whatever reason, this
Order is reverse turn, and be resoriginal conditional	sponsible for returning, said property to its
NOTICE OF HEARING The Zoreng Commissioner of Ballmore Courty, by suthority of the Zoreng Act and Requisitoris of Ballmore Courty, by suthority of the Zoreng Act and Requisitoris of Ballmore Courty with hold a putric hearing in the property identified forms in Room 106 of the Courty Phice Building, luceted at 111 W Cheappalle Avenue in Towson, Maryland as follows: Case Humber 18-340-A Hellor for Zoreng Vanance NS Grovehill Road, 235W c1 Chelleryn Rued (928 Grovehill Road) 13th Election District Petitioner Anthony J Scardspane Sr TUESDAY MAHCH 8, 1988 at 9:00 am (FOR SNOW DATE CALL 494-3391) Variance to permit accessory structure comprising 64 percent do permit a rear yerd simbols of 11 least in least of the required 40 percent. Also, parmit a rear yerd simbols of 11 least in least of the required 45 least to centerine of alley, and permit and selection of 0	Office of PATUXENT Publishing Company 10750 Line Paturent Prwy Columbia, MD 21044 February 17, 1988 THIS IS TO CERTIFY, that the annexed advertisement of Notice of Hearing
test in less at the required 2.5 feet. In the event that this Petition is granted, a building permit may be eased within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the resustroe of seed permit during the period for good cause shown. Such request must be in writing and received in the action by the date of the hearing set above or preserved at the hearing. J. Robert Haines. Zoning Commissioner of Baltimore County 606-A-Fieb 11.	was inserted in the following: Catonsville Times
Defendent	PUBLICATION OF

The Zonng Esquishman of Bulimore County, to the Zoning Law of Bulimore County, for the University Process of State of St	of the Zoning Regulations of Baltimore County following reasons: (indicate hardship or prac	in lieu of the required 15 feet to center- setbacks of 0 feet in lieu of the required 2.5
disease, high blood protect vehicles from inclement weather. In needed to protect vehicles from inclement weather. In needed to protect vehicles from inclement weather. In new agree to go a suppose of show Valince advertising, posting, its, upon lifting of the fact of the second protection and restricted for the protection of the p		y, to the Zoning Law of Baltimore County; for the tical difficulty)
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Contract Purchaser: Legal Owner(a): Le	Baltimore County adopted pursuant to the 20	I/We do solemnly declare and anum.
Type of Print Name) Signature Signature Signature City and State Uniform Print Name) Address City and State Name Address Trype of Print Name) Address City and State Name Addr		are the legal owner(s) of the property which is the subject of this Petition. 5-1,300 w-26,000
Signature Address Crys and State Crys or Prof. Hame) Crys or Prof. Hame) Crys or Prof. Hame) Crys or Prof. Hame) Crys of Prof. Hame) Crys of State Crys and State North Address Crys and State North County, that the subject matter of this profition be advertised, as required by the Zoning Law of Bailtimore County, in two newspares of general extraction through out Bailtimore County in the one published and that the published bearing be had before the Zoning Commissioner of Bailtimore County in thoom by County Other Bailtimore and County, in the Commissioner of Bailtimore County in thoom by County Other Bailtimore and County in the County of County Other Bailtimore County in the County of County Other Bailtimore of Real State County of County Other Bailtimore of Real State County of County Other Bailtimore of Bailtimore County in the County of County Other Bailtimore of Bailtimore County in the County of County Other Bailtimore of Bailtimore County of Bailtim	Contract Purchaser:	X ANTHOUS J. SCARDAPANT SR
Address Crystal State Nationary for Petitioner: Crystal State Nationary Telephone No.: Crystal State Nationary Telephone No.: ORDERED By The Zoning Commissioner of Nationary County, this adjust and phone number of ingl owner, contract purchaser or representate to be omissed of the county of the public hearing by the Zoning Law of Baltimore County in Room 100, County Once Building in Towns, Nationary and County in Room 100, County Once In State of the public hearing be had before the Zoning Commissioner of Raltimore County in Room 100, County Once Building in Towns, Nationary County of the County of Room 100, County Once Building in Towns, Nationary County of the County of Room 100, County Once Building in Towns, Nationary County of the County of Room 100, County Once Building in Towns, Nationary County of the County of Room 100, County Once Building in Towns, Nationary County of the County of Room 100, County Once Building in Towns, Nationary of Radionary County of the County	3	anthon I reardy are
Alterney for Petitioner: City and State City and State Address City and State Address City and State Name Address City and State Address City and State Name Address City and State Address City and State Name Address City and State Address City and State Address City and State Name Address City and State Address City	3	
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Segnature City and Salte Name, address and phone number of logic lower, content perchaser or representative to the contacted City and Salte Name ORDERED By The Aming Commissioner of Raltimore County, this . 2572	1 2.	
City and Sinte Address Same, address and phone number of legal cover, contract packbaser of reproventative in the contacted City and Sinte Alterney's Telephone No: ORDERED By The Zening Commissioner of Baltimore County, this		Address Phone No.
Assert Size Name City and Size Name ORDERED By The Zening Commissioner of Rallimore County, this	I Signature	
Address (Phone No.: ORIERED By The Zening Commissioner of Raitmore County, this	Address	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
ORDERED By The Zening Commissioner of Paltimore County, this Service Address ORDERED By The Zening Commissioner of Paltimore County, this Service Address 19 87, that the subject matter of this pendium be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zening Commissioner of Baltimore County in Room 120, County Office Building in Towson, Baltimore County, on the day of Taxway Commissioner of Baltimore County. **Baltimore County** Zoning Commissioner of Baltimore County, by Authority of the Zoning Act and Towson, Maryland 21204 484-3853 **J. Robert Halmen Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 105 of the Zoning Village Building, recated at 111 K, Chesapeake Actions in Room 105 of the Zoning Village Building, recated at 111 K, Chesapeake Actions in Towson, Maryland as follows: Case masher: 884-840-A Pertition for Zoning Nationice M.S. Gravethill Rood) 19 10 In this properties of the County Office Building, recated at 111 K, Chesapeake Action of the County Office Building, recated at 111 K, Chesapeake Action of the County Office Building, recated at 111 K, Chesapeake Action of the Industrial Action of the Partition of Action of the Industrial Action of t	City and State	Name 242-1019
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Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identi- fied herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: Case number: 88-340-A Petition for Zoning Variance N/S Grovehill Road, 235' W c/l Chelsyn Road (928 Grovehill Road) 13th Hestion Pristrict = 1st Councilmanic Pristrict Fetitioner: Anthony L. Scardapane, St. DATE/TIME: MARCH 8, 1988 at 9:00 a.m. Variance to permit accessory structure comptising by potent of varial stebuck of 11 feet in Tren et the required 15 feet to contentine of alley; and permit side aethories of direct in Iron of the required 2.5 feet. In the event that this ports. NO. 45673 MORE COUNTY, MARYLAND NO. 45673 No. 45673		
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Mr. Anthony J. Scardapane, Sr. 928 Grovehill Road Arbutus, Maryland 21227 RE: Petition for Zoning Variance N/S Grovehill Road, 235' W of the c/l of Chelwynd Hoad 13th Election District; 1st Councilmanic District Case No. 88-340-A Dear Mr. Scardapane: Enclosed please find the decision rendered in the above-referenced case. The Petition for Zoning Variance has been granted, in part, and is subject to the restriction noted in the attached Order. In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office. Very truly yours, J. Polet Hines J. ROBERT HAINES Zoning Commissioner of Baltimore County JaH:bjs Enclosures cc: Mr. & Mrs. Joseph W. Rauser 926 Grovehill Road, Baltimore, Hd. 21227 Ms. Janice Gettier and Family 930 Grovehill Road, Baltimore, Md. 21227 People's Counsel file

> Baltimore County Zoning Commissioner Office of Flanning & Zoning Towson, Maryland 2124 194-3353

J. Robert Haines
Zunny Communicar

December 14, 1987

Mr. Anthony J. Scardapane, Sr. 928 Grovehill Road

Arbutus, Maryland 21227 RE: Anthony J. Scardapane, Sr. N/S Grovehill Road, 235' W c/1 of Chelwand Road (928 Grovehill Road) Petition for Zoning Variance

MAR. 0.2 1988

Dear Mr. Scardapane:

Case No. 88-340-A

Please be advised that ______ is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the propert, from the time it posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE FONING SIGN AND POST RETURNED ON THE DAY OF THE PEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUL OFFICE OF FINANCE MISCELLANEOUS		•	No.	50285	ours.
DATE		ACCOUNT			NES SES
RECEIVED .				· 	sioner of nty
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TECHNICAL DESCRIPTION

Beginning on the north side of Grove Hill Road. 60 feet wide at the distance of 235 feet ± west of the centerline of Chelwynd Road being lot 9, Block D in the subdivision of Huntsmoor Village, Section 2, Book #30, Folio 37, also known as 928 Grovehill Road in the 13th District.

HIBIT

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your periods bas been received and accepted for filing this ______ day of ______, 1987.

Petitioner Anthony J. Scardapane, Sr. Received by: James E. Dyer Chairman, Zoning Plans Attorney

Advisory Committee

Fue Department Towson, Maryland 21204-2586

494-4500 Paul H. Reincke Chief

December 15, 1987

J. Robert ...ines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, ML 21204

Dennis F. Rasmussen

Re: Property Owner: Inthony J. Scarapane, Sr.

Location: N/S Grovehill Rd., 235' W. c/l Chelwynd Rd.

Item No.: 194

Zoning Agenda: Meeting of 12/8/87

suant to your request, the referenced property has been surveyed by this au and the comments below marked with an "X" are applicable and required e corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of thicle access is required for the site.

() 3. The vehicle dead end condition shown at ____

EXCEEDS the maximum allowed by the Fire Department.

(x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. 3' clear passageway shall be provided between property line & carport for fire dept. () 5. The buildings and structures existing or proposed on the site shall access. comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments

Taming Group Special Inspection Division

VICINITY MAP (IG'WIDE) ALLEY PROPE CARPOR EXIST OPEN ROW- HOUCES 10T 10 LOT O

GROVEHILL RD. (GO'R/W)

PLAT FOR TONING VARIANCE! OWNER: ANTHONY J. SCARDAPANCE SR. DISTRICT - 13 Ex. ZONING - DR 10.5 HUNTSMOOR VILLEGE, SECTION S LOT 9, ELK. D. BOOK NO. 30, FOLIO 37 EXISTING UTILITIES IN GROVEHILL RD.

SCALE: 1 = 20': LOT SIZE - 2,070 g. ft.

February 29, 1988

Office of Zoning 111 West Chesapeake Avenue Baltimore, Maryland 21204

Baltimore, Maryland 21227

(301) 242-2914

RE: Case # 340-A

Dear Sir:

My family and I have lived at 930 Grovenill Road for over 21 years. We have had very little trouble with neighbors in all those years. People do things to their homes that you are sometimes not pleased with, but I'm suce we've done things to ours that some people didn't like. A year or so ago, our next door neighbors at 928 Crovehill Road cemented their entire back yard. No one in the neighborhood liked the way it looked, but it was there before we could voice any opinion. Because of overcrowded parking out front, a lot of people have had parking pads put down the bottom of their backyard, but one one else cemented their entire back yard. I look out my back window and all I see are cars. Now these same people are trying to have the zoning changed so that they can put a carport over this entire parking lot. Besides the fact that this carport will block all sun from our backyard, I don't think this sort of structure belongs in a row house development. As I said before, there are plenty of parking pads in our neighborhood, but no one else has presumed to put up a carport or garage.

We sincerely wish that we could attend the zoning hearing set for March 8, 1988, but because of work and school obligations, none of us can attend this hearing. We nope this letter serves as our official objection to this project that our neighbors are planning to undertake.

Thank you for taking the time to read our complaints.

Janée Settier & Family / /30 Grovenill Road

ZONING OFFICE

Baltimore County
Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 495 Towson, Maryland 21204 494-3554

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Zoning Commissioner:

The Bureau of Traffic Engineering has no comments for items number 194, 195, 196, 197, 198, 199, 201, 202, 203, 204, and 205.

Very truly yours,

MSF:sb

Michael S. Flanigan Traffic Engineer Associate II

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BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE February 25, 1988

Bureau of

Industrial

Development

Fire Prevention

Building Department

Board of Education

Zoning Administration

COUNTY OFFICE BLDG.

111 W. Chesapeake Ave.
Towson, Maryland 21204

CONTROL OF CONTROL O 928 Grovehill Road Arbutus, Maryland

RE: Item No. 194 - Case No. 88-340-A Petitioner: Anthony J. Scardapane, Sr. Petition for Zoning Variance

MEMBERS Dear Mr. Scardapane: Bureau of

Department of

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning Traffic Engineering action requested, but to assure that all parties are made aware of State Roads Commission plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations Health Department as to the suitability of the requested zoning. Project Planning

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours, CUNO & Difer fruits JAMES E. TYER

Chairman Toning Plans Advisory Committee

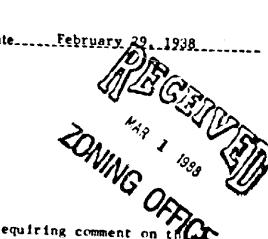
 $\mathrm{JED}_{1}\mathbf{k}\mathbf{k}\mathbf{b}$ Finclosured BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines TO. Zoning Commissioner

P. David Fields FROM Director of Planning and Zoning

SUBJECT Zoning Petition No. 88-340-A



There are no comprehensive planning factors requiring comment on the

P. Pavid Fields per John

PDF:JCH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel

Joseph W. Rauser Marie Rauser 926 Crovehill Road Baltimore, Maryland 21227

February 29, 1988

Mr. J. Robert Haines 111 W. Chesapeake Avenue

Room 109 Towson, Maryland 21204

Re: Case No. 88-340-A

Dear Sir:

We have lived in our Huntsmoor townhouse at 926 Grovehill Road since 1966. Our home falls inside of a group of 6 homes as does our next door neighbors house at 928 Grovehill Road. Our homes are 32' long, 18' wile with a 50' long

We have very nice neighbors next door but we are greatly concerned about their proposed zoning change to build a carport in their back yard. In a conservative townhouse community such as Huntsmoor, it is essential that homogeneity be maintained within reasonable limits. We feel that our next door neighbors have already exceeded these limits by cementing their whole yard nearly two years ago.

Now they want to cover nearly their entire yard with a structure that vastly contrasts with the construction style of Huntsmoor and will, in a sense, "stick out like a sore thumb." We feel that this structure, if permitted would have a negative perceptual effect on adjacent homes, and also deflate the value of these homes. Our home, in particular would be most affected since we, as next door neighbors would be faced with this most unusual, monstrous structure directly next door to us.

Therefore, we believe the ronling change proposed by our neighbors should be denied by the Zoning Commission.

We would like to be present at the meeting but we are both scheduled to work on that date and hope that this letter will be sufficient in voicing our

Sincerely,

may the of the man Joseph W. Rauser

Marie Rauser